

Amendment No. 1 to HB1199

Lundberg
Signature of Sponsor

AMEND Senate Bill No. 959*

House Bill No. 1199

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 17, Part 10, is amended by adding the following as a new section:

29-17-10___. In any case in which a county or municipality exercises the power of eminent domain under this chapter, chapter 16 of this title or any other law, and the condemning entity determines the property condemned or taken by eminent domain is not used for the purpose or purposes for which it was condemned or for some other authorized public use, or if the condemning entity subsequently decides to sell it within ten (10) years of being condemned or taken, the property shall be first offered for sale to the person or persons from whom the property was condemned or taken. The former property owner's right shall terminate ten (10) years after the date the property was condemned or taken, or one (1) year from the determination that it was not being used for its intended purpose or that it would be sold, whichever time is later. The former property owner's right shall not transfer to the owner's heirs. The person from whom the property was condemned or taken shall have thirty (30) days in which to sign an agreement to purchase the property. The former property owner may purchase the property for an amount representing not less than the fair market value, together with costs. If the property is not purchased by the former property owner within thirty (30) days the property shall be offered for sale in any commercially reasonable manner to the general public. The property shall be sold for an amount not less than the fair market

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value, together with costs. The good faith effort by the condemning entity to locate and contact the former property owner satisfies this section and the sale shall be valid.

SECTION 2. This act shall take effect July 1, 2013, the public welfare requiring it.